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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,049	12/29/2000	Motoyoshi Suzuki	826.1659 (JDH)	6708

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STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

MANNING, JOHN

ART UNIT PAPER NUMBER

2614

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/750,049	SUZUKI, MOTOYOSHI	
	Examiner	Art Unit	
	John Manning	2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-7, 9-10 and 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Tamir et al. (US Pat No 5,923,365).

In regard to claim 1, the claimed limitation of “an input unit inputting segmentation information indicating a time slice for each piece of picture data continuous time series about subject, and retrieval data indicating an attribute of the subject corresponding each piece of picture data assigned to each time slice” is met by Figure 1, Items 72, 80 and 30 (See Col 7, Lines 48-53). The claimed limitation of “a storage segmenting the continuous picture data according the segmentation information, associating each piece of picture data obtained by segmenting data with corresponding retrieval data, and storing associated data” is met by Figure 1, Item 40 (See Col 6, Lines 54-58). The claimed limitation of “an output unit, when any retrieval data is selected as retrieval

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condition from among the retrieval data inputted by the input unit, extracting picture data corresponding to the selected retrieval data from the storage unit and displaying the extracted picture data” is met by Figure 1, Item 70, 30 and 50 (See Col 8, Lines 5-10; Col 13, 31-41). The claimed limitation of “wherein the subject is a player of a ball game being performed and all the segmentation information is inputted by a user” is met by Figure 1, Items 72, 80 and 30 and Figure 2.

In regard to claims 2-3, Tamir discloses the claimed limitation of “retrieval data contains information about a delivery of a ball” and “retrieval data contains information about a course of a ball” (See Col 8, Lines 5-10; Col 8, Lines 56-59; Col 10, Lines 28-40).

In regard to claims 5 and 6, Tamir discloses the claimed limitation of “said segmentation information comprises a record starting time and a record ending time which are absolute times” and “record starting time said record ending time are record starting time and a record ending time each delivery of a ball” (See Col 7, Lines 38-47; Col 8, Lines 5-10).

In regard to claim 7, the claimed limitation of “an input unit inputting common segmentation information indicating a time slice common to plural different pieces of picture data continuous in time series about a subject, and retrieval data indicating an attribute of the subject corresponding to each piece of picture data assigned to each time slice” is met by Figure 1, Items 72, 80 and 30 (See Col 7, Lines 48-53). The claimed limitation of “a storage unit segmenting the plural pieces of continuous picture data according to the common segmentation information, associating each piece of

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picture data obtained by segmenting the data with the corresponding retrieval data, and storing the associated data” is met by Figure 1, Item 40 (See Col 6, Lines 54-58). The claimed limitation of “an output unit, when any retrieval data is selected as retrieval condition from among the retrieval data inputted by the input, extracting picture data corresponding to the selected retrieval data from the storage unit and displaying the extracted picture data” is met by Figure 1, Item 70, 30 and 50 (See Col 8, Lines 5-10; Col 13, 31-41). The claimed limitation of “wherein the subject is a player of a ball game being performed and all the common segmentation information is inputted by a user” is met by Figure 1, Items 72, 80 and 30 and Figure 2.

In regard to claims 9-10, Tamir discloses the claimed limitation of “retrieval data contains information about a delivery of a ball” and “retrieval data contains information about a course of a ball” (See Col 8, Lines 5-10; Col 8, Lines 56-59; Col 10, Lines 28-40).

In regard to claims 12 and 13, Tamir discloses the claimed limitation of “said segmentation information comprises a record starting time and a record ending time which are absolute times” and “said subject a player of ball game being performed, and said record starting time said record ending time are record starting time and a record ending time each delivery of a ball” (See Col 7, Lines 38-47; Col 8, Lines 5-10).

Claims 14 and 15 are met by that discussed above for claims 1 and 7.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tamir et al.

In regard to claim 8, Tamir fails to disclose the claimed limitation of "said plural pieces of continuous picture data are different from each other and obtained by capturing the subject from plural directions"; however, the examiner take Official Notice that it is notoriously well known in the art at the time of the invention to utilize plural pieces of continuous picture data are different from each other and obtained by capturing the subject from plural directions so as to provide the viewer multidimensional information thereby enhancing the viewing enjoyment. Consequently, it would have been obvious to one of ordinary skill in the art to modify Tamir to utilize plural pieces of continuous picture data are different from each other and obtained by capturing the subject from plural directions for the stated advantage.

6. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamir et al. in view of Katayama (US Pat No 5,769,713).

In regard to claims 4 and 11, Tamir fails to disclose that the "retrieval data contains information about a play state in the play of the ball game". Katayama teaches "retrieval data contains information about a play state in the play of the ball game" (See

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Col 1, Lines 49-52; Col 2, Lines 1-12) so as to allow the user to instantaneously understand the progress of a game. Consequently, it would have been obvious to one of ordinary skill in the art to modify Tamir with "retrieval data contains information about a play state in the play of the ball game" for the stated advantage.


### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM  
February 1, 2006

  
JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600